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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Application for the  
Determination of Interim License Fees for

THE CROMWELL GROUP, INC. AND  
AFFILIATES, et al.

Related to

UNITED STATES OF AMERICA

Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS,  
AUTHORS AND PUBLISHERS,

Defendant.

No. 10 CV 167 (DLC) (MHD)

**STIPULATION AND  
~~PROPOSED~~ PRETRIAL  
SCHEDULING ORDER**

No. 41 CV 1395 (DLC) (MHD)

WHEREAS, on January 8, 2010, the American Society of Composers,  
Authors and Publishers ("ASCAP") and The Cromwell Group, Inc. and Affiliates,  
("Cromwell") filed a joint application for the determination of interim license fees; and

WHEREAS the parties have conferred regarding the schedule for the  
expeditious determination of interim license fees,

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND  
AGREE AS FOLLOWS:

1. The parties shall file their initial papers in support of their respective positions concerning interim license fees by **February 26, 2010**.
2. The parties shall file reply papers in support of their respective positions concerning interim license fees by **March 29, 2010**.

3. Cromwell reserves the right to seek discovery following the filing of the initial interim fee papers and to request an extension of time to file reply papers if warranted by the discovery it seeks. ASCAP reserves the right to oppose such discovery and any request for an extension of time.

4. ~~Argument on the determination of interim license fees shall be held on~~

~~\_\_\_\_\_~~, 2010~~z~~

Dated: 2/18/10  
New York, New York

By [Signature]

Jay Cohen

Lynn B. Bayard

Jacqueline P. Rubin

Kristy M. Tillman

Paul, Weiss, Rifkind, Wharton & Garrison LLP

1285 Avenue of the Americas

New York, New York 10019-6064

Phone: (212) 373-3163

Email: jaycohen@paulweiss.com;

lbayard@paulweiss.com; jrubin@paulweiss.com;

ktillman@paulweiss.com

*So ordered.*

*[Signature]*  
*February 18, 2010*

-and-

Richard H. Reimer

Sam Mosenkis

Christine A. Pepe

American Society of Composers, Authors and  
Publishers

One Lincoln Plaza

New York, New York 10023

Phone: (212) 621-6200

Fax: (212) 787-1381

Email: rreimer@ascap.com;

smosenkis@ascap.com;

cpepe@ascap.com

*Attorneys for the American Society of Composers,  
Authors and Publishers*

Dated: 2/12/10  
New York, New York

By R. Bruce Rich  
R. Bruce Rich  
Jonathan Bloom  
Heather R. Solow  
Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, New York 10153  
Phone: (212) 310-8000  
Email: bruce.rich@weil.com;  
jonathan.bloom@weil.com;  
heather.solow@weil.com

*Attorneys for the Radio Music License Committee  
and The Cromwell Group, Inc. and Affiliates, et al.*

Dated: \_\_\_\_\_  
New York, New York

SO ORDERED.

\_\_\_\_\_  
Denise L. Cote  
United States District Judge